

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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REICH, *et al.*,

Plaintiffs,

**ORDER**

-against-

21 Civ. 9327 (AEK)

CASABELLA LANDSCAPING OF NY, INC., *et al.*,

Defendants.

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**THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.**

The Court has reviewed the renewed motion filed by Mackey Butts & Whalen, LLP to withdraw as counsel for Defendant Casabella Landscaping of NY, Inc. (“Casabella Landscaping”). ECF Nos. 76-79. The motion was unopposed. At a conference held on April 21, 2023, the Court determined that counsel had shown satisfactory reasons for withdrawal, and therefore the motion to withdraw was GRANTED on the record. The Court notes that Mackey Butts & Whalen, LLP is asserting a lien for outstanding unpaid attorney’s fees and expenses.

As the Court has previously advised Casabella Landscaping, *see* ECF Nos. 66, 81, corporate entities may not appear *pro se*. *See, e.g., Omega Consulting v. Farrington Mfg. Co.*, 604 F. Supp. 2d 684 (S.D.N.Y. 2009) (“Federal law . . . is clear that a company may not appear *pro se* but rather must be represented by counsel.”). Accordingly, Casabella Landscaping is required to retain new counsel, or else face the possibility of a default judgment being entered against it.

By no later than **June 1, 2023**, Casabella Landscaping must either retain new counsel or seek an extension of time in which to do so. All proceedings in this matter are stayed until that date. New counsel for Casabella Landscaping must promptly file a notice of appearance on the

docket. **If by June 1, 2023, no new notice of appearance has been filed by new counsel for Casabella Landscaping and Casabella Landscaping has not sought an extension of time to retain new counsel, the Court will consider allowing Plaintiffs to file a motion for entry of a default judgment against Casabella Landscaping.**

By no later than April 28, 2023, Mackey Butts & Whalen, LLP must serve a copy of this Order on Casabella Landscaping by text message, email, and U.S. mail and file proof of service on the docket.

A telephonic status conference is hereby scheduled for June 8, 2023 at 11:00 a.m. To access the teleconference, please follow these directions: (1) dial the meeting number: (877) 336-1831; (2) enter the access code: 2751700#; and (3) press pound (#) to enter the teleconference as a guest. Should counsel experience any technical issues with the teleconferencing system, please contact Chambers at (914) 390-4070.

The Clerk of Court is respectfully directed to terminate the appearance of Mackey Butts & Whalen, LLP as counsel for Casabella Landscaping as of April 21, 2023.

Dated: April 21, 2023  
White Plains, New York

**SO ORDERED.**



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ANDREW E. KRAUSE  
United States Magistrate Judge